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EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/683,561	WEISMAN ET AL.	
	Examiner	Art Unit	
	SUJATHA SHARMA	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 December 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-52,56-65,67-117 and 121-142* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-52,56-65,67-117 and 121-142* is/are rejected.

7)☒ Claim(s) *53-55,66,118-120* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments filed 12/4/09 have been fully considered but they are not persuasive.

Regarding claims 1, 73, 56, 121: The examiner respectfully disagrees with the arguments (see page 27, lines 4-9 and lines 14-30 and page 33, lines25-29 of the response,) and would like to draw the applicant's attention to Hanson reference. Hanson clearly discloses a method of identifying the user by using a user code and this definitely reads on the limitation "verify the request by determining an identification". The claim is treated broadly and this method of verifying the user is disclosed by Hanson prior to access as the applicant argues in col. 2, lines 15-22 and col. 4, lines 31-38.

Regarding claims 23, 94: The examiner respectfully disagrees with the argument (see page 27, lines 10-13 and page 29, lines 9-20 of the response) and would like to draw the applicant's attention to Hanson reference, col. 7, lines 30-33 where the user ID is also the billing info. So in col. 2, lines 15-22 and col. 4, lines 31-38, before accessing the audio content, the user is verified by user ID which means also by billing information and this reads on the limitation "subscription plan and/or billing information".

Regarding claims 3, 75: The examiner respectfully disagrees with the arguments (see page 28, lines 1-7 of the response) and would like to draw the applicant's attention to Hanson reference. In col. 7, lines 17-24, a method is disclosed of generating or creating the bookmark if one is not

present and at the time of termination of the playback stores the bookmark information for future retrieval as disclosed in col. 6, lines 29-37.

Regarding claims 7, 13, 84, 26, 96, : The newly added limitation in this claim is argued and the examiner respectfully disagrees with the arguments (see page 28, lines 8-14 and lines 22-26 and page 30, lines 8-10 of the response) and would like to draw the applicant's attention to Hanson reference. In col. 4, lines 18-26, col. 5, lines 29-37 and col. 6, lines 18-26 the save control method is disclosed. Further in col. 7, lines 17-20 and Fig. 2A a bookmark control for making/creating bookmarks without a request to suspend is disclosed.

Regarding claims 10,81: The examiner respectfully disagrees with the arguments (see page 28, lines 15-21 of the response) and would like to draw the applicant's attention to Hanson reference. Here the method of pausing/terminating the program saves the bookmark and this is broadly interpreted to read on the claim limitation.

Regarding claims 17, 88, 49, 50, 114, 115: The examiner respectfully disagrees with the arguments (see page 28, lines 27,28 and page 33, lines 7-24 of the response) and would like to draw the applicant's attention to Hanson reference. Here Hanson discloses a telephone (see Fig. 1, element 101) and a computer (see Fig. 1 service platform which reads on the limitation "computer").

Regarding claims 19, 90: The examiner respectfully disagrees with the arguments (see page 28, line 29 – page 29, line 8 of the response) and would like to draw the applicant's attention to Hanson reference. The claim only recites "station stores the bookmarked data" and the reference in col. 2, lines 11-29 is interpreted based only on this claimed limitation.

Regarding claim 24: The newly added limitation here is disclosed in the Hanson reference col. 1, lines 43-55 where the term "soap opera" reads on the claimed limitation "series or episodes".

Regarding claim 27: The examiner respectfully disagrees with the arguments (see page 30, lines 11-16 of the response) and would like to draw the applicant's attention to Hanson reference. In col. 7, line 57 – col. 8, line 2, Hanson discloses a method where the user can select from where to restart the program and not necessarily the beginning or from where the user left off previously as the applicant argues.

Regarding claims 29,98, 31, 100: See below discussion of rejection.

Regarding claim 33: The examiner respectfully disagrees with the arguments (see page 30, line 28 page 32, line 12 of the response) and would like to draw the applicant's attention to Hanson reference. Hanson in col. 5, lines 7-16 and 22-26 discloses a **concept** of receiving the program content in subsequent blocks which could be for the same program or for one program followed by another program. Hence the **concept** reads on the claimed limitations.

Regarding claim 35: The examiner respectfully disagrees with the arguments (see page 32, lines 13-24). Hanson in col. 4, lines 36-38 discloses a method where the user is given an interactive menu to select an audio program from a list and this reads on the limitation of "displaying program name/song name".

Regarding claims 43, 108 : The examiner respectfully disagrees with the arguments (see page 32, lines 25-28 of the response). Hanson discloses a method of downloading audio content using the internet which inherently ahs servers all over the world and therefore this reads on the claimed limitation.

Regarding claims 48, 113: The examiner respectfully disagrees with the arguments (see page 32, line 29 – page 33, line 6 of the response). Hanson discloses a method where user's station can be a PC or other device to access audio information and the program is downloaded to the user's PC for later playback. See col. 7, lines 44-53.

Regarding claims 58,123: : The examiner respectfully disagrees with the arguments (see page 33, line 30 – page 34, line 20 of the response). Hanson discloses a method where user's station can navigate through the program and in particular if it is a book, then user's progress is tracked in terms of blocks that relate to chapters and thus this reads on the claimed limitation.

Regarding Claims 62,127: The examiner respectfully disagrees with the arguments (see page 34, lines 21-26of the response). Hanson in col. 4, lines 36-38 discloses a method where the user is

given an interactive menu to select an audio program from a list and this reads on the limitation of "displaying program name/song name".

Regarding claims 71,135: See discussion of a new rejection of these claims below.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 68,69, 132,133 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claim recites the limitation 'the output". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-10,12-24,26,27,29-37,39-44,48-50,52,56,58,61-65,67,70-81,83-94,96,98-104,106-109,113-115,117,121,123,126-131,134-136 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson [EP 820 180].

Regarding claims 1,73, Hanson discloses a method and apparatus providing bookmarks for audio programs. Hanson further discloses a system comprising:

- a communication network; Fig. 1, element 102
- a station communicatively linked to the communication network, the station having an output and an interface; Fig.1, element 101
- a head-end (element 103 in Fig. 1) having at least one database configured to store programs including an audio content (104 in Fig. 1)
- the head-end configured to receive a request from the station via the communication network for a desired one of the programs; see col. 2, lines 15-17, col. 3, lines 16,17
- the head-end configured to verify the request by determining an identification, transmitting a first portion of the desired program to the station via the communication network based upon the request verification, and recording an association between the identification and the desired program; see col. 2, lines 19-37, col. 4, line 32 – col. 5, line 15
- the head-end configured to suspend transmission of a second portion of the program based upon detection of an indication to suspend transmission, the head-end configured to transmit the second portion of the program based upon detection of an indication to resume transmission and based upon stored bookmark data indicating starting location in the program of the second portion. See col. 2, lines 11-37, col. 5, lines 16-37, col. 6, line 44 – col. 7, line 3

Regarding claims 2,74 Hanson discloses a method wherein the head-end is configured to generated and store the stored bookmark data upon detection of the indication to suspend transmission. See col. 5, lines 29-37, col. 2, lines 34-37

Regarding claims 3,75 Hanson discloses a method wherein the station is configured to generate and store the stored bookmark data. See col. 7, line 44 – col. 8, line 3.

Regarding claims 4,76 Hanson discloses a method wherein the head-end is configured to determine the indication to suspend by the station ceasing communication on the communication network due to the following conditions: the station is a telephone and the user hangs up. SEE col. 5, lines 19-21.

Regarding claims 5,77, Hanson discloses a method wherein the head-end in configured to determine that the indication to suspend from a request to suspend sent from the station to the head-end via the communication network. See col. 5, lines 17-21

Regarding claims 6,78 Hanson discloses a method wherein the station further includes controls and the request to suspend is send from the station based upon at least one of the station controls being activated. See col. 5, lines 17-21

Regarding claims 7, Hanson discloses a method wherein the first group of the station controls includes at least one of the following: save control, pause control, and bookmark control. See col. 4, lines 18-26, col. 5, lines 29-37, col. 6, lines 18-26 and the station further includes second group of controls comprising a bookmark control for making bookmarks without a request to suspend. See col. 7, lines 17-20 and Fig. 2A a bookmark control for making/creating bookmarks without a request to suspend is disclosed.

Regarding claims 8,79 Hanson discloses a method wherein the head-end is configured to determine that the indication to resume is a request to resume sent from the station to the head-end via the communication network. See Col. 6, line 44- col. 7, line 3

Regarding claims 9,80 Hanson discloses a method wherein the station is a cellular telephone and the communication network is a cellular communication network. See col. 7, lines 40-46.

Regarding claims 10,81 Hanson discloses a method wherein the interface of the station includes a save control, the station being configured to generate the bookmark data based upon activation of the save control. See col. 2, lines 11-29, col. 5, lines 29-37.

Regarding claims 12,83 Hanson discloses a method wherein the interface of the station includes a save control, the head-end being configured to generate the bookmark data based upon activation of the save control. See col. 2, lines 11-29, col. 5, lines 29-37.

Regarding claims 13,84 Hanson discloses a method wherein the interface of the station includes a bookmark control, the head-end being configured to generate the bookmark data based upon activation of the bookmark control. See col. 2, lines 11-29, col. 5, lines 29-37.

Regarding claims 14,85 Hanson discloses a method wherein the head-end is configured to store the bookmark data. See col. 5, lines 29-37, col. 2, lines 34-37

Regarding claims 15,86, Hanson discloses a method wherein the station is a non-cellular telephone. See col. 7, lines 44-48

Regarding claims 16,87 Hanson discloses a method wherein the station is a computer. See col. 7, lines 44-48

Regarding claims 17,88 Hanson discloses a method wherein the station is a telephone and a computer. See col. 7, lines 44-48

Regarding claims 18,89 Hanson discloses a method wherein the communication network is at least one of the following: a telephone network and a computer network. See col. 7, lines 40-46

Regarding claims 19,90 Hanson discloses a method wherein the station is configured to store the bookmark data; see col. 2, lines 11-29

Regarding claims 20,91 Hanson discloses a method further comprising a plurality of stations other than the station, the plurality of stations including at least one of the following: a cellular telephone, a computer workstation, and a non-cellular telephone. See col. 7, lines 40-46

Regarding claims 21,92, Hanson discloses a method wherein the head-end is configured to activate an instance of a media player to play each program requested. See col. 4, lines 41-45.

Regarding claims 22,93, Hanson discloses a method wherein each of the media player instances are configured to track current position of their program being played, the head-end configured to send data on the current program positions to the station and other stations receiving the programs. See col. 6, lines 42-47.

Regarding claims 23,94 Hanson discloses a method wherein the request verification by the head-end is based upon at least one of the following: a subscription plan, a content rating of the desired program, and payment history associated with a user of the telephone. See col. 7, lines 32-38

Regarding claim 24, Hanson discloses a method wherein the at least one database of the head-end includes at least one of the following data representations: user, station, episode, program data, series, favorites, player, recent, bookmark, and synopsis. Fig.1 and col. 2, lines 11-29

Regarding claims 26,96 Hanson discloses a method wherein the station interface includes an in-progress user interface with a mark button configured to, upon activation and without indication to suspend transmission, bookmark a segment of a program being received from the head-end for subsequent retrieval. See col. 5, lines 7-37 and col. 7, lines 17-20 and Fig. 2A a bookmark control for making/creating bookmarks without a request to suspend is disclosed.

Regarding claim 27, Hanson discloses a method wherein the station interface includes an in-progress user interface with a goto button configured to, upon activation, retrieve a segment of a program previously bookmarked with the mark button. See col. 6, lines 44-51.

Regarding claims 30,99 Hanson discloses a method wherein the station interface includes an in-progress user interface with a save button configured to, upon activation, save a program being received from the head-end for future play. See col. 2, lines 11-14 and 22-29

Regarding claims 32,101 Hanson discloses a method wherein the station interface includes an in-progress user interface with a play button configured to, upon activation, begin playing of a program stored on the head-end. See col. 6, line 44- col. 7, line 3.

Regarding claim 33, Hanson discloses a method wherein the program is subsequent in a series to a program having been just played. See col. 5, lines 7-16 and 22-26

Regarding claims 34,102 Hanson discloses a method wherein the station interface includes an in-progress user interface with a pause button configured to, upon activation, halt playing of a program stored on the head-end. See col. 8, lines 2-7 and col. 2, lines 1-3.

Regarding claim 35, Hanson discloses a method wherein the station interface includes an in-progress user interface with at least one of the following displayed: program title, author name, artist name, chapter name, song name, and speaker name. See col. 4, lines 45-50

Regarding claims 36,103 Hanson discloses a method wherein the station interface includes a select show dialog based upon voice recognition. SEE col. 3, lines 49-53

Regarding claims 37,104 Hanson discloses a method wherein the station interface includes a selection menu with at least one of the following: a select button configured to select a program stored on the head-end and a clear button configured to clear a program selection previously made. See col. 6, lines 34-41

Regarding claim 39, Hanson discloses a method wherein the station interface includes a selection menu with a resume last pick. See col. 6, line 34 – col. 7, line 3.

Regarding claim 40, Hanson discloses a method wherein the station interface includes a selection menu with a select show dialog. See col. 6, lines 34-44

Regarding claims 41,106 Hanson discloses a method wherein the at least one database of the head-end includes a holdings database configured to store information regarding at least current users of the head-end, the information including data about programs stored in the at least one database being used by the users. See col. 2, lines 11-29 and Fig. 1

Regarding claim 42,107 Hanson discloses a method wherein the identification determined by the head-end is based upon at least one of the following: a caller-identification code and an internet protocol address. See col. 3, line 54 – col. 4, line 4.

Regarding claims 43,108 Hanson discloses a method wherein the head-end includes cache servers located in different geographical areas. See col. 1, line 3 – col. 2, line 1.

Regarding claims 44,109 Hanson discloses a method wherein the head-end further includes an access manager and a media server, the access manager being configured to accept and process commands and queries from the station via a receive buffer and is configured to transmit status and programs back to the station via a transmit buffer, the access manager configured to control the media server to serve programs stored on the at least one database. See fIg.1.

Regarding claims 48,113 Hanson discloses a method wherein the station further includes a buffer to store received portions of the desired program before being played by the output. See col. 7, lines 46-53

Regarding claim 49,114 Hanson discloses a method wherein the station is a computer and a telephone, the computer configured to receive at least text data from the head-end via the communication network, the head-end further configured to transmit at least text data to the computer and audio data to the telephone via the communication network. See col. 7, lines 46-53.

Regarding claims 50,115 Hanson discloses a method wherein the communication network includes a telephone network and the Internet. See col. 7, lines 40-48

Regarding claims 52,117 Hanson discloses a method wherein the communication network includes at least one of the following: a telephone network, a local area network, a wide area network, and the Internet. See col. 7, lines 40-48.

Regarding claims 56,121 Hanson discloses a method wherein the head-end is further configured to transmit the desired program only if the request verification determined by the head-end indicates that the identification is associated with a subscriber of services including the desired program. See col. 3, lines 26-36 and col. 7, lines 33-38.

Regarding claims 58,123 Hanson discloses a method wherein the interface of the station is configured to navigate the programs stored on the at least one database of the head-end by at least one of the following approaches: episodic, serial, and chapterwise organizations. See col. 5, lines 7-16 and 43-49.

Regarding claims 61,126 Hanson discloses a method wherein the interface of the station is configured to bookmark a portion of the desired program such that when the bookmark is activated the head-end commences transmission of the desired program from the portion beginning. See col. 6, lines 34-47.

Regarding claims 62,127 Hanson discloses a method the interface of the station is configured to display at least one of the following: time remaining of the desired program when being played on the telephone and title of the desired program being played. See col. 4, lines 32-38.

Regarding claims 63,128 Hanson discloses a method wherein the station interface is configured to facilitate selection of the desired program from the programs in the at least one database of the head-end. See col.3, lines 16,17 and 26-36 and Fig.1.

Regarding claims 64,129 Hanson discloses a method wherein the station interface is configured to display a selection list of at least a portion of the programs stored on the at least one database of the head-end. See col. 3, lines 40-48, col. 4, lines 32-38.

Regarding claim 65, Hanson discloses a method wherein the station interface further includes a select button configured to provide capability to a user of the station for selection of the programs stored in the at least one database of the head-end. See col. 4, lines 32-38, col.3 ,lines 40-48.

Regarding claims 67,131 Hanson discloses a method wherein the interface of the station includes at least one of the following: a keypad, a keyboard, a mouse, a joypad, buttons, a pen interface, and a voice command system. See col. 3, lines 40-53.

Regarding claims 70,134 Hanson discloses a method wherein the at least one database of the head-end stores information including at least one of the following: representations of subject matter of the programs, availability of the programs, identification of users currently using each of the programs, preferences and listening status of each of the current users and the head-end is configured to transmit the information to station upon request of the head-end by the station. See col. 2, lines 11-29, col. 3, lines 16-39.

Regarding claim 72, Hanson discloses a method wherein the program is one of the following: a song, a news segment, an audio book, a talk show, a traffic report, and an advertisement. See col. 3, lines 16,17; col. 5, lines 40-45.

Regarding claim 136, Hanson discloses a method wherein determining the identification identifies one of the following: the station and a user of the station. See col. 6, lines 13-16.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11,82 rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Goldberg [WO 99/62008].

Regarding claims 11,82 Hanson discloses all the limitations as claimed. However he does not disclose a system wherein the interface of the station includes a bookmark control, the station being configured to generate the bookmark data based upon activation of the bookmark control. Goldberg, in the same field of endeavor, teaches a system wherein the interface of the station includes a bookmark control, the station being configured to generate the bookmark data based upon activation of the bookmark control. See page 5, lines 18-31

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Golberg to Hanson in order to efficiently search the bookmarked items that are stored in the server.

4. Claims 29,98,31,100 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Swenson [US 6,064,380]

Regarding claims 29,98 Hanson discloses all the limitations as claimed. However, he does not disclose a method wherein the station interface includes an in-progress user interface with a drop button configured to, upon activation, abandon playing of a program being received from the head-end without storing bookmark data.

Swenson, in the same field of endeavor, teaches a method wherein the station interface includes an in-progress user interface with a drop button configured to, upon activation, abandon playing of a program being received from the head-end without storing bookmark data. See Fig. 3, col. 4, lines 62 – 65.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Swenson to Hanson in order to provide an improved multimedia file presentation.

Regarding claims 31,100 Swenson discloses a method wherein the station interface includes an in-progress user interface with a skip forward button configured to, upon activation, skip

forward play of a program being received from the head-end. See Fig. 3 where there is a forward button..

5. Claims 45,51,110,116 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Sjoblom [US 2004/0049779].

Regarding claims 45,110 Hanson discloses all the limitations as claimed. However he does not disclose a system wherein the station is a cellular telephone configured to receive audio and data over separate communication channels and the communication network includes separate voice and data communication channels.

Sjoblom, in the same field of endeavor, teaches a system wherein the station is a cellular telephone configured to receive audio and data over separate communication channels and the communication network includes separate voice and data communication channels. See paragraphs 7-9.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Sjoblom to Hanson in order to enhance user experience.

Regarding claims 51,116 Sjoblom further discloses a system wherein the station is a telephone configured to receive text data in addition to audio. See paragraphs 7-9.

6. Claims 57,122 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Lord [US 2003/0066091].

Regarding claims 57,122 Hanson discloses all the limitations as claimed. However he does not disclose a system wherein the head-end is configured to transmit an advertisement in addition to transmission of the desired program based upon the identification determined by the head-end.

Lord, in the same field of endeavor, teaches a system wherein the head-end is configured to transmit an advertisement in addition to transmission of the desired program based upon the identification determined by the head-end. See paragraphs 12,13

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Lord to Hanson in order to enhance user experience.

7. Claims 71,135 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Logan[US 2008/0155616].

Regarding claim 71,135, Hanson discloses all the limitations as claimed. However, he does not disclose a method wherein the association between the identification and the desired program recorded by the head-end is further configured for billing of a user of the station that used the interface to generate the request for the program.

Logan, in the same field of endeavor, teaches a method wherein the association between the identification and the desired program recorded by the head-end is further configured for billing of a user of the station that used the interface to generate the request for the program. See page 25, lines 1-6 and 21-29.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Logan to Hanson in order to provide a revenue generating service.

8. Claims 25,38, 95,105 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Mcnaughton[US 6,433,795].

Regarding claims 25, 38,95,105 Hanson discloses all the limitations as claimed. However, he does not disclose a method comprising joining a first user activating the join button to a conference with other users of a program being received from the head-end.

McNaughton, in the same field of endeavor, teaches a method comprising joining a first user activating the join button to a conference with other users of a program being received from the head-end. See col. 2, lines 25-62.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of McNaughton to Hanson in order to provide a communicating method with others with similar interests thus enhancing user experience.

9. Claims 28,59,60,97,124,125 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Dobronsky [US 7,159,192].

Regarding claims 28, 59,60,97,124,125 Hanson discloses all the limitations as claimed. However, he does not disclose a method comprising sending either a program or a link of the

program being received from the head-end to another user upon activation of a send button on the station interface.

However, Dobronsky, in the same field of endeavor, teaches a method wherein in an electronic messaging program, selecting a virtual button to display content associated with the virtual button, selected desired content from displayed content for inclusion into message, transmit message to the selected recipient. See Fig 3 elements 306, 308, 310, 312, and 314

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Dobronsky to Hanson in order to provide a communicating method with others with similar interests thus enhancing user experience.

10. Claims 46, 47, 111,112 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson [EP 820 180] in view of Kaneko[US 2002/0102954].

Regarding claim 111,46 Hanson discloses all the limitations as treated in claim 73. However, he does not disclose a method wherein the output is provided as comprising an earpiece.

Kaneko, in the same field of endeavor, teaches a method wherein the output is provided as comprising an earpiece. See paragraph 45.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Kaneko to Hanson in order to enhance user experience.

Regarding claim 112,47 Kaneko teaches a method wherein the output provided as comprising a display (see paragraphs 8,9) and a speaker(see paragraph 44).

11. Regarding claims 137-142, the rejection as applied to claims 1, 73 and 97 applies to the rejection of these claims as well.

Allowable Subject Matter

12. Claims 53-55, 66,118-120 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUJATHA SHARMA whose telephone number is (571)272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Sujatha Sharma/
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Sujatha Sharma
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